

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America,  
Plaintiff

v.

Case No. 09-cr-77-01/02-SM

Kelvin Garcia,  
Defendants

O R D E R

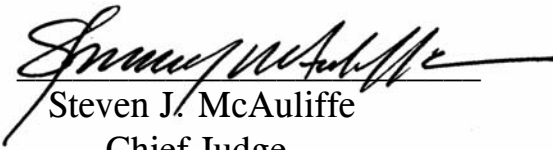
Defendant Kelvin Garcia's motion to continue the trial is granted (document no. 30). Trial has been rescheduled for the month of January 2010. Defendant Kelvin Garcia shall file a waiver of speedy trial rights not later than December 7, 2009. On the filing of such waiver, his continuance shall be effective.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

Final Pretrial Conference is scheduled for January 8, 2009 at 1:30 p.m.

Jury selection will take place on January 20, 2010 at 9:30 a.m.

SO ORDERED.

  
Steven J. McAuliffe  
Chief Judge

November 25, 2009

cc: Kevin Sharkey, Esq.  
Terry Ollila, AUSA  
U.S. Marshal  
U.S. Probation